State Intellectual Property Office of People's Republic of China

Add: 15/F. Bldg.B. Tsinghua Tongfang Hi-Tech Plaza, No.1, Wangzhuang Rd., Haidian District, Beijing, P. R. China, Postal Code: 100083

Applicant(s)	Seiko Epson Corporation	Issuing Date:
Patent Agent(s)	Xianglan LI	November 4, 2005
Application No.	03143805.9	
Title of Invention	电子电路、电光装置和电子仪器	·

THE FIRST OFFICE ACTION

			•
1. Mark The applicant f	iled a request for substar	ntive examination on	(day/month/year). The examiner
has carried ou	t substantive examinatio	on on the above mentione	ed application for an invention patent
in accordance	with the provisions of A	Article 35(1) of the Chine	ese Patent Law.
The Patent C	Office has decided to ca	arry out substantive ex	amination on the above mentioned
application for	an invention patent in a	ccordance with the prov	isions of Article 35(2) of the Chinese
Patent Law.		•	
2. Mac The applicant	claimed:	^	
the filing date	2002.7.31 in the <u>Ja</u>	pan Patent Office as th	e priority date,
the filing date	2003.7.16 in the Ja	pan Patent Office as th	e priority date,
the filing date	: in the	Patent Office as the	priority date,
the filing date	: in the	Patent Office as the	priority date,
the filing date	: in the	Patent Office as the	priority date.
. Mark The applicant	has provided a copy of	the priority documents	certified by the Patent Office where
the prior appli	cation(s) was/were filed.		
The applicant	has not provided a cop	py of the priority docum	nents certified by the Patent Office
where the price	or application(s) was/we	re filed and the priority	claim(s) is/are deemed not to have
been made in a	accordance with the prov	visions of Article 30 of the	he Chinese Patent Law.
	•		and on, wherein,
the amendme	nt(s) submitted on		
		are unacceptable,	
	amendment(s) is/are not		
	rovisions of Article 33 o		
· -		•	tions of the Chinese Patent Law.
		ments being unacceptab	le are described in the text of this
Office A	ction.		
4 N/m		1 1 1 1	11 61 1
			cuments originally filed.
	ition was carried out bas	ed on the application do	cuments indicated below:
Description:			
•	of original application of		ication date,
	filed on; Pages	,	
Pages	filed on: Pages	filed on:	

☐Claims				
Pages	of original application documents filed on	the application	n date,	
Pages	filed on; Pages filed on;			•
Pages	filed on; Pages filed on;			
□Drawii	•			
•	of original application documents filed on	the application	n date,	
•	filed on; Pages filed on;			
Pages	filed on, Pages filed on;			
Abstra	act: Filed on the application date; I file	ed on		
	ng selected for publication on the front p			Filed on the
	e; I filed on			
5. This Notif	ication is issued without a search having been	conducted.		
	fication is issued with a search having been co	onducted.		
	llowing reference documents have been cited		ce action (the	eir serial numbers
-	eferred to in the ensuing examination procedur			
	•			
Serial No.	Reference document(Number or Title)		Publication I	Date
		(or Filing		ference patent
			application	
1	JP-特开 2002-140030A	17day	05 month	2002 yea r
2	CN1217806A (US 6462722)	26day	05 month	1999 year
3	· · · · · · · · · · · · · · · · · · ·	day	month	year
4		day	month	year
6 m) 1 6	4			
<u> </u>	the examination is as follows:			
☐ Descript	·		11.1	
	subject matter of the application falls into the		wnich no pare	ent rights shall be
_	anted as provided by Article 5 of the Chinese		C A .: 1 O.C.	N 6 4 61 :
	e description is not in conformity with the p	provisions of	Article 26(.	3) of the Chinese
Pa	tent Law.			
	e description is not in conformity with the p	provisions of	Rule 18 of	the Implementing
		provisions of	Rule 18 of	the Implementing
Re	e description is not in conformity with the p	provisions of	Rule 18 of	the Implementing
Re ⊠ Claims:	e description is not in conformity with the pegulations of the Chinese Patent Law.			
Re Claims: Claims	e description is not in conformity with the pregulations of the Chinese Patent Law.	o granted pa		
Re ⊠ Claims: ∐ Cla	e description is not in conformity with the pregulations of the Chinese Patent Law. im falls into the scope, on which no provided by Article 25 of the Chinese Patent L	o granted pa	itent rights sh	all be granted, as
Re Claims: Cla Claims: Claims:	description is not in conformity with the pregulations of the Chinese Patent Law. falls into the scope, on which norovided by Article 25 of the Chinese Patent Lim is not in conformity with the de	o granted pa Law. efinition of i	itent rights sh	all be granted, as
Re Claims: Cla Cla Cla	description is not in conformity with the pregulations of the Chinese Patent Law. Im falls into the scope, on which norovided by Article 25 of the Chinese Patent Lim is not in conformity with the december of the Implementing Regulations of the C	o granted pa aw. efinition of i	itent rights sh nvention as p t Law.	all be granted, as rescribed by Rule
Re Claims: Cla Cla Cla Cla	description is not in conformity with the programment of the Chinese Patent Law. falls into the scope, on which no provided by Article 25 of the Chinese Patent Lim is not in conformity with the decent of the Implementing Regulations of the Complete im does not possess novelty as provided the conformity with the decent of the Implementing Regulations of the Complete im does not possess novelty as provided the conformity with the decent of the Implementing Regulations of the Complete im does not possess novelty as provided the conformity with the decent conformity	o granted pa aw. efinition of i	itent rights sh nvention as p t Law.	all be granted, as rescribed by Rule
Re Claims: Cla Cla Cla Cla	description is not in conformity with the pregulations of the Chinese Patent Law. Im falls into the scope, on which norovided by Article 25 of the Chinese Patent Lim is not in conformity with the december of the Implementing Regulations of the C	o granted pa aw. efinition of i hinese Paten vided by Arti	ntent rights sh nvention as p t Law. cle 22(2) of t	all be granted, as rescribed by Rule he Chinese Patent

	Patent Law.
	Claim does not possess practical applicability as provided by Article 22(4) of
	the Chinese Patent Law.
	Claim is not in conformity with the provisions of Article 26(4) of the Chinese Patent Law.
	Claim is not in conformity with the provisions of Article 31(1) of the Chinese Patent Law.
	Claim is not in conformity with the provisions of Rule 20 to 23 of the
	Implementing Regulations of the Chinese Patent Law.
	Claimis not in conformity with the provisions of Article 9 of the Chinese Patent Law.
	Claimis not in conformity with the provisions of Rule 12(1) of the Implementing
	Regulations of the Chinese Patent Law.
	The detailed reasoning for the above opinion is described in the text of this office action.
7.	On the basis of the above opinion, the examiner holds that:
	The applicant should make amendments as required in the text of this office action.
	The applicant should provide reasons for that the above mentioned patent application can be
	granted patent right, and make amendments to the specification as described in the text of this
	office action; otherwise the patent right shall not be granted.
	☑The patent application does not possess any substantive contents for which patent right may be granted, if the applicant fails to provide reasons or the reasons provided are not sufficient, this application will be rejected.
	The applicant's attention is drawn to the following matters:
8.	The applicant's attention is drawn to the following matters: (1) In accordance with the provisions of Article 37 of the Chinese Patent Law, the applicant shall
	submit a response within <u>four</u> months from the date of receiving this office action. If the applicant fails to meet the time limit without any justified reason, the application shall be deemed to have been withdrawn.
	(2) The amendment made by the applicant shall be in conformity with the provisions of Article 33
	of the Chinese Patent Law. The amendment shall be submitted in duplicate copies and in the
	format required by the relevant provisions of the Examination Guideline.
	(3) The applicant's response and/or amended documents shall be mailed or submitted to the
	Receiving Department of the Chinese Patent Office. Documents which are not mailed or submitted to the Receiving Department do not possess legal effect.
	(4) The applicant and/or his(its) agent shall not come to the Chinese Patent Office for interview
	with the examiner without an appointment.
^	The same of this office and in a second of the following arms and have the following arms and the state of the following arms and the state of the following arms and the state of the stat
9.	The text of this office action consists of a total of 3 sheets, and is accompanied by the following annexes:
	 ✓ A copy of the cited reference documents consisting of 2 sets and 31 sheets. ✓ The Examination Department The Seal of the Examiner: Yan MAO
	The Examination Department The Seal of the Examiner: Yan MAO_



'n

中华人民共和国国家知识产权局

邮政编码: 100083

北京市海淀区王庄路 1 号清华同方科技大厦 B 座 15 层 中科专利商标代理有限责任公司

李香兰

发文日期



申请号:031438059

申请人:精工爱普生株式会社

发明创造名称:电子电路、电光装置和电子仪器



第一次审查意见通知书

۱.	☑应申请人提出的实	实审请求,根据专利	小法第 35 条第	1.款的规定,	国家知识产权局对	上述发明	专利申请进
	行实质审查。	•			•		

□根据专利法第35条第2款的规定,国家知识产权局决定自行对上述发明专利申请进行审查。

2. 🗸申请人要求以其在:

JP 专利局的申请日 2002年 07月 31日为优先权日,

专利局的申请日 2003年 07月 16日为优先权日,

专利局的申请日 年 月. 日为优先权日, 专利局的申请日 年 月 日为优先权日,

专利局的申请日 年 月 日为优先权日。

☑申请人已经提交了经原申请国受理机关证明的第一次提出的在先申请文件的副本。

□申请人尚未提交经原申请国受理机关证明的第一次提出的在先申请文件的副本, 根据专利法第 30 条 的规定视为未提出优先权要求。

分子
 シー
 シー

年 月 日提交的 不符合实施细则第51条的规定;

月 日提交的 不符合专利法第 33 条的规定:

年 月 日提交的

4. 审查针对的申请文件:

✓原始申请文件。 □审查是针对下述申请文件的

申请日提交的原始申请文件的权利要求第 项、说明书第 页、附图第

年 月

日提交的权利要求第 项、说明书第 页、附图第

年 月 日提交的权利要求第 项、说明书第 页、附图第 页: 页:

年 月 日提交的权利要求第 项、说明书第 页、附图第

月 日提交的说明书摘要, 月 日提交的摘要附图。

5. □本通知书是在未进行检索的情况下作出的。

☑本通知书是在进行了检索的情况下作出的。

☑本通知书引用下述对比文献(其编号在今后的审查过程中继续沿用):

编号 文件号或名称 公开日期(或抵触申请的申请日)

1 JP-特开 2002-140030A 2002-5-17

2 CN1217806A 1.999-5-26

6. 审查的结论性意见:

□关于说明书:

□申请的内容属于专利法第5条规定的不授予专利权的范围。



页:

页;

□说明书不符合专利法第 26 条第 3 款的规定。	
□说明书不符合专利法第 33 条的规定。	
□说明书的撰写不符合实施细则第 18 条的规定。	
☑关于权利要求书:	
□权利要求不具备专利法第 22 条第 2 款规定的新颖性。	
☑权利要求 1-15 不具备专利法第22条第3款规定的创造性。	
□权利要求不具备专利法第 22 条第 4 款规定的实用性。	
□权利要求 属于专利法第 25 条规定的不授予专利权的范围。	
□权利要求 不符合专利法第 26 条第 4 款的规定。	
□权利要求 不符合专利法第 31 条第 1 款的规定。	
工 权利要求 不符合专利法第 33 条的规定。	
· 【权利要求不符合专利法实施细则第2条第1款关于发明的定义。	
₹ 2 权利要求 不符合专利法实施细则第 13 条第 1 款的规定。	
工权利要求 不符合专利法实施细则第 20 条的规定。	
工 权利要求 <u>不符合专利法实施细则第 21 条的规定。</u>	
区权利要求 不符合专利法实施细则第 22 条的规定。	: 5
□权利要求 不符合专利法实施细则第 23 条的规定。	1
上述结论性意见的具体分析见本通知书的正文部分。	
7. 基于上述结论性意见, 审查员认为:	
□申请人应按照通知书正文部分提出的要求,对申请文件进行修改。	
□申请人应在意见陈述书中论述其专利申请可以被授予专利权的理由,并对通知书正文部分中指出的不符	
合规定之处进行修改,否则将不能授予专利权。	
☑专利申请中没有可以被授予专利权的实质性内容,如果申请人没有陈述理由或者陈述理由不充分,其申	
请将被驳回。	
8. 申请人应注意下述事项:	
(1)根据专利法第37条的规定,申请人应在收到本通知书之日起的肆个月内陈述意见,如果申请人无正当理由逾期不答复,其申请将被视为撤回。	
(2)申请人对其申请的修改应符合专利法第 33 条的规定,修改文本应一式两份,其格式应符合审查指南的有	
大规定。	
(3)申请人的意见陈述书和/或修改文本应邮寄或递交国家知识产权局专利局受理处,凡未邮寄或递交给受理	
处的文件不具备法律效力。	
(4)未经预约,申请人和/或代理人不得前来国家知识产权局专利局与审查员举行会晤。	()
9. 本通知书正文部分共有 3 页,并附有下述附件:	' -/
☑引用的对比文件的复印件共 2 份 31 页。□	

第一次审查意见通知书正文

申请号: 031438059

经审查,具体意见如下:

- 1. 权利要求1请求保护一种电子电路,对比文件1(JP-特开2002-140030A)公开了一种彩色显示方法以及使用该方法的半导体集成电路,并具体披露了以下技术特征(参见说明书摘要,说明书第[0007]段-第[0022]段,附图1-4)。该方法使用了数据转换装置(22和23),其根据预先设定的转换运算法则,将N位图像数据转换成K位第一彩色灰度数据、L位第二彩色灰度数据、M位第三彩色灰度数据,其中K、Li、M、N均是自然数,且K+L+M>N。该权利要求所要求保护的技术方案与该对比文件所公开的技术内容相比,其区别仅在于前者还具修正电路,由于修正元件可以使得由同一移位装置取得的数字数据随着其所输入的数字数据的变化而连续变化,因此与移位装置取得的数字数据随着其所输入的数字数据的变化而连续变化,因此与移位装置取得的数字数据随着其所输入的数字数据的变化而连续变化,因此与移位装置电连接设置修正元件是本领域的常规技术手段。在该对比文件的基础上结合上述常规技术手段以获得该权利要求所要求保护的技术方案,对所属技术领域的技术人员来说是显而易见的,因此该权利要求所要求保护的技术方案不具备突出的实质性特点和显著的进步,因而不具备专利法第二十二条第三款规定的创造性。
- 2. 从属权利要求2的附加技术特征对权利要求1进一步限定,基于评述权利要求1的理由可知,对比文件1中经由数据转换装置输出的数字数据是比其输入的数字数据大的扩张数字数据,此外,为了使输入数据按高次函数变化,将其输入数据划分为多个组,对各组使用其预先确定的位数移位是本领域的一种常规技术手段,因此当其引用的权利要求1不具有创造性时,该权利要求也不具有专利法第二十二条第三款规定的创造性。
- 3. 从属权利要求3和4的附加技术特征对其引用的权利要求进一步限定,然而使用加法电路作为上述修正电路,以及所述修正电路与电光元件电连接,同时移位电路的输入数据用来控制电光元件的亮度的亮度等级数据,移位电路的输出数据是提供给电光元件的模拟电流的电流量的扩张亮度等级数据,是本领域的常规技术手段,因此当它们引用的权利要求不具有创造性时,从属权利要求3和4也不具有专利法第二十二条第三款规定的创造性。

- 4. 从属权利要求5和6的附加技术特征对所述移位电路的移位法则进一步限定,然而上述法则均是本领域的常规技术手段,因此当它们引用的权利要求不具有创造性时,从属权利要求5和6也不具有专利法第二十二条第三款规定的创造性。
- 5. 权利要求7请求保护一种电光装置,对比文件1公开了一种彩色显示方法以及使用该方法的半导体集成电路,并具体披露了以下技术特征(出处同上):该方法使用了数据转换装置(22和23),其根据预先设定的转换运算法则,将N位图像数据转换成K位第一彩色灰度数据、L位第二彩色灰度数据、M位第三彩色灰度数据,其中K、L、M、N均是自然数,且K+L+M>N。该权利要求所要求保护的技术方案与该对比文件所公开的技术内容相比,其区别在于前者还具控制电路、驱动电路、像素电路、修正电路。由于修正元件可以使得由同一移位装置取得的数字数据随着其所输入的数字数据的变化而连续变化,因此与移位装置电连接设置修正元件是本领域的常规技术手段;同时,本领域技术人员知道,控制器、扫描线驱动电路、数据线驱动电路的全部或部分由可编程IC芯片构成,通过写入程序,在软件上实现其功能,因此电光装置中具有控制电路、驱动电路、像素电路也是本领域的常规技术手段。在该对比文件的基础上结合上述常规技术手段以获得该权利要求所要求保护的技术方案,对所属技术领域的技术人员来说是显而易见的,因此该权利要求所要求保护的技术方案不具备突出的实质性特点和显著的进步,因而不具备专利法第二十二条第三款规定的创造性。
- 6. 从属权利要求8-11的附加技术特征分别与从属权利要求2、4-6的相同,基于评述 权利要求2、4-6的理由,同时当从属权利要求8-11的引用权利要求不具有创造性时, 从属权利要求8-11也不具有专利法第二十二条第三款规定的创造性。
- 7. 从属权利要求12的附加技术特征是所述电流驱动元件是EL元件; 从属权利要求13的附加技术特征是所述EL元件中, 发光层由有机材料构成。对比文件2(CN1217806A)公开了电流驱动型发光显示装置及其制造方法, 上述附加技术特征被对比文件2披露(参见说明书摘要, 说明书第6页第5行-10行, 附图1), 因此当它们引用的权利要求

不具有创造性时,从属权利要求12和13也不具有专利法第二十二条第三款规定的创造性。

BEST AVAILABLE COPY

- 8. 权利要求14请求保护一种电子仪器,其安装有权利要求1-6中任意一项所述的电子电路。如上所述,权利要求1-6不具有创造性,此外,将权利要求1-6任一项所述的电子电路安装在一种电子仪器中是本领域的常规技术手段,因此该权利要求不具有专利法第二十二条第三款规定的创造性。
- 9. 权利要求15请求保护一种电子仪器,其安装有权利要求7-13中任意一项所述的电光装置。如上所述,权利要求7-13不具有创造性,此外,将权利要求7-13任一项所述的电光装置安装在一种电子仪器中是本领域的常规技术手段,因此该权利要求不具有专利法第二十二条第三款规定的创造性。

基于上述理由,该申请的所有权利要求都不具备创造性,在本专利申请的说明书中也未披露任何其他实质内容,因而即使对权利要求进行重新组合或者根据说明书记载的内容作进一步限定也不具备授权前景。申请人若在本通知书指定的四个月答复期限内提不出本申请具有创造性的理由和证据,将考虑驳回本申请。

审查员:毛燕

代码: 9524